

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9504 of 1993

with

Special Civil Applications Nos. 9738 of 1993, 9975 of 1993, and 189 of 1996.

For Approval and Signature:

Hon'ble THE CHIEF JUSTICE MR. K.SREEDHARAN and
MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?-No.

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2. To be referred to the Reporter or not?-No.

3. Whether Their Lordships wish to see the fair copy of the judgement?-No.

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?-No.

5. Whether it is to be circulated to the Civil Judge?-No.

VADILAL BHULABHAI VALA & ANR

Versus

STATE OF GUJARAT

Appearance:

Special Civil Application No.9504 of 1993 :-

MR ND NANAVATI for Petitioner

Mr.S.N. Shelat, Additinal Advocate General,
with Ms. Ami Yagnik, Assistant GOVERNMENT PLEADER,
for Respondent No. 1.

Special Civil Application No.9738 of 1993

Ms.Sangeeta N.Pahwa, Advocate, for the petitioner.

Mr.S.N. Shelat, Additinal Advocate General,
with Ms. Ami Yagnik, Assistant GOVERNMENT PLEADER,
for Respondent Nos. 1 and 2.

Mr.M.D. Pandya, Advocate, for respondents Nos. 3 to

Special Civil Application No.9975 of 1993

Mr.P.M. Thakkar, Advocate, for the petitioner.

Mr.Kamal M. Mehta, Assistant Governmetn Pleader,
for the respondent.

Special Civil Application No.189 of 1996

Mr.Tushar Mehta, Advocate, for the Petitioner.

Mr.S.N. Shelat, Additinal Advocate General,
with Ms. Ami Yagnik, Assistant GOVERNMENT PLEADER,
for Respondent.

CORAM : THE CHIEF JUSTICE MR. K.SREEDHARAN and

MR.JUSTICE M.S.SHAH

Date of decision: 11/12/97

ORAL JUDGEMENT : (Per K.Sreedharan, C.J.)

In these petitions, Notification issued by Government under Section 16 of the Gujarat Industrial Development Act, 1962 is under challenge. Main contention is that notification under Section 16 of the G.I.D. Act cannot stand in view of the 72nd and 73rd Amendments to the Constitution and the consequent amendments brought out to the Gujarat Panchayats Act and the Gujarat Municipalities Act. Identical issues were decided by this Court in Special Civil Applications Nos. 6653 of 1997 and 6739 of 1997 in the judgment dated 21.11.1997 and by us in Special Civil Application No.9631 of 1993 by judgment dated 8.12.1997. In the light of the above decisions, these petitions have only to be dismissed and we do so. Rule is discharged. Interim relief granted earlier will stand vacated. We make no order as to costs.

(apj)